

**Forest Service  
Recreation Resource Advisory Committees (Recreation RACs)**

**MEMBERSHIP BALANCE PLAN**

**1. Committee's Official Designation**

**Recreation Resource Advisory Committees (Recreation RACs)**

The federal advisory committees referenced in this charter are collectively known as the Recreation RACs.

- 1) Eastern Region Recreation Resource Advisory Committee;
- 2) Southern Region Recreation Resource Advisory Committee;
- 3) Pacific Northwest Region Recreation Resource Advisory Committee;
- 4) Pacific Southwest Region Recreation Resource Advisory Committee; and
- 5) Colorado Recreation Resource Advisory Committee.

**2. Authority**

Each Recreation RAC is established pursuant to Section 4 of the Federal Lands Recreation Enhancement Act (Pub. L. 108-447) hereafter referred to as the Act, in accordance with the provisions of the Federal Advisory Committee Act, as amended, 5 U.S.C., App.2.

**3. Objectives and Scope of Activities**

The purpose of the Recreation RACs is to provide recommendations to the Secretary on recreation fees on lands and waters managed by the Forest Service and the Department of the Interior's Bureau of Land Management (BLM) in the state or regions covered by each committee. Specifically Recreation RACs make recommendations on:

- (1) The implementation of a standard amenity recreation fee or an expanded amenity recreation fee or the establishment of a specific recreation fee site;
- (2) The elimination of a standard amenity recreation fee or an expanded amenity recreation fee;
- (3) The expansion or limitation of the recreation fee program;

- (4) The implementation or elimination of noncommercial, individual special recreation permit fees; and
- (5) The implementation of fee-level changes (increases or decreases).

4. Points of View Needed for the Committee

In accordance with REA, each Recreation RAC shall consist of 11 members appointed by the Secretary of Agriculture. These members shall provide a broad and balanced representation from the recreation community as follows:

- (1) Five persons who represent recreation users and that include, as appropriate, persons representing –
  - (a) Winter motorized recreation such as snowmobiling;
  - (b) Winter non-motorized recreation such as snowshoeing, cross-country and downhill skiing, and snowboarding;
  - (c) Summer motorized recreation such as motorcycling, boating, and off-highway vehicle driving;
  - (d) Summer non-motorized recreation such as backpacking, horseback riding, mountain biking, canoeing, and rafting; and
  - (e) Hunting and fishing.
- (2) Three persons who represent interest groups that include, as appropriate –
  - (a) Motorized outfitters and guides;
  - (b) Non-motorized outfitters and guides; and
  - (c) Local environmental groups.
- (3) Three persons who are –
  - (a) State tourism official representing the State;
  - (b) A representative of affected Indian tribes; and
  - (c) A representative of affected local government interests.

Membership shall be balanced, including a broad representation of the interests identified in the Act within each of the three membership groups and, in consultation with the State Governors and appropriate county officials.

Every effort will be made to ensure that the membership of this Committee is balanced, nevertheless, USDA recognizes that committee membership is not static and may change, depending on the work of the committee.

5. Other Balance Factors

Equal opportunity practices in accordance with USDA policies will be followed in all appointments to the Recreation RACs. To help ensure that the recommendations of the Recreation RACs have taken into account the needs of the diverse groups served by USDA, membership will include to the extent possible, individuals with demonstrated ability to represent women, men, racial and ethnic groups, and persons with disabilities.

The USDA prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program.

6. Quorum Requirements

REA states that, in order to make a recommendation, Recreation RACs must have a majority of members in each category agree to the recommendation. Therefore, Recreation RACs must have at least three members from Category 1 and two members each from Categories 2 and 3 present to make recommendations. Other business can be accomplished with a quorum of eight members.

Replacements fill member positions only if the member vacates the position. Replacements do not sit in for members in their absence for particular meetings.

7. Candidate Identification Process

Nominees are sought through an open and public process that includes, but is not limited to, nominees submitted by tribal governments, county governments, Governors, state tourism, outfitters and guides serving the committee's region, and organizations and individuals who represent the interests specified in the REA. An outreach plan provides additional guidance on seeking nominees.

Once candidates have been identified, their names and background data are submitted to the USDA White House Liaison's office for vetting. The vetting process includes a background check to determine if any of the candidates have a conflict of interest that would prohibit them from serving on the committee due to criminal or ethical violations.

8. Subcommittee Balance

The balance plan for any subcommittee shall incorporate the same policies and practices as for the committee of the whole.

9. Legal Background

Section 5(b)(2) of the FACA requires "...the membership of the advisory committee to be fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee." The corresponding FACA regulations reiterate this requirement at 41 CFR § 102-3.30(c), and, for discretionary committees being established, renewed, or reestablished, require agencies to provide a description of their plan to attain fairly balanced membership during the charter consultation process with GSA (41 CFR § 102-3.60(b)(3)). The document created through this process is the Membership Balance Plan. The regulations further clarify that: (1) the purpose of the membership balance plan is to ensure "that, in the selection of members for the advisory committee, the agency will consider a cross-section of those directly affected, interested, and qualified, as appropriate to the nature and functions of the advisory committee;" and (2) "[a]dvisory committees requiring technical expertise should include persons with demonstrated professional or personal qualifications and experience relevant to the functions and tasks to be performed." (41 CFR § 102-3.60(b)(3)).

FACA mandates that Federal advisory committees be balanced in the points of view represented by the members, but leaves it to the discretion of each agency on how to do this. The FACA regulations offer guidance in achieving a balanced Federal advisory committee membership, which include considering:

- (i) The Federal advisory committee's mission;
- (ii) The geographic, ethnic, social, economic, or scientific impact of the Federal advisory committee's recommendations;
- (iii) The types of specific perspectives required, such as those of consumers, technical experts, the public at-large, academia, business, or other sectors;
- (iv) The need to obtain divergent points of view on the issues before the Federal advisory committee; and
- (v) The relevance of State, local, or tribal governments to the development of the Federal advisory committee's recommendations." (41 CFR § III of App. A to Subpart B)

10. Date Prepared or Updated: August 26, 2014